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	BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD		
7	IN THE MATTER OF:	LCB NO. L-24,978	
8	MCDUF ENTERPRISES LLC d/b/a		
9	MCDUF ENTERPRISES LLC d/b/a MCKAY'S TAP HOUSE 1312 LEE BOULEVARD	FINAL ORDER OF THE BOARD	
10	RICHLAND, WA 99352	[PROPOSED]	
11	LICENSEE		
12	LICENSE NO. 408252		
13	AVN NO. 4E3361H IN THE MATTER OF:	LCD NO. 1 25 022	
14	·	LCB NO. L-25,023	
15	MCDUF ENTERPRISES LLC d/b/a MCKAY'S TAP HOUSE		
16	1312 LEE BOULEVARD RICHLAND, WA 99352		
17	LICENSEE		
18	LICENSE NO. 408252		
	AVN NO. 4F4061A		
19			
20	THIS MATTER having come before the Washington State Liquor Control Board		
21	(Board) and the Washington State Liquor Control Board Education and Enforcement Division		
22	(Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and		
23	ISAAC WILLIAMSON, Assistant Attorney General, and MCDUF ENTERPRISES LLC d/b/a		
24	MCKAY'S TAP HOUSE (Licensee) by and through DAVID MCKAY, representative, and the		

[PROPOSED]

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parties having voluntarily entered into a stipulated settlement agreement for Case Numbers

L-24,978 and L-25,023, and the Board having considered the Stipulated Settlement Agreement

1	and Enforcement's Memorandum recommending acceptance of the Stipulated Settlement		
2	Agreement, and the Board having had the opportunity to review the file materials maintained		
3	in this case, now therefore:		
4	IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above		
5	captioned cases is adopted in its entirety; and the Administrative Violation Notice (AVN) for		
6	Case Numbers L-24,978 and L-25,023 are sustained. Licensee shall serve a four (4) day		
7	suspension of its liquor license, beginning at 11 a.m. on Thursday, July 24, 2014, and ending at		
8	11 a.m. on Monday, July 28, 2014. Licensee shall pay three hundred dollars (\$300.00) no later		
9	than thirty (30) days after the date of the Final Order of the Board. The payment shall be sent		
10	to:		
11	Washington State Liquor Control Board P.O. Box 43085		
12	Olympia, WA 98504-3085 In the event that the Licensce fails to make full and timely payment of the monetary		
13	penalty, the Licensee shall be subject to an additional five (5) day suspension of its liquor		
14	license, the dates and time of which shall be set by the Washington State Liquor Control		
15	Board.		
16	DATED this 15 day of July , 2014.		
17	15, 11.15 ans 11.15 and 11		
18	WASHINGTON STATE LIQUOR CONTROL BOARD		
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26	MCKAY'S TAP HOUSE LICENSE 408252 LCB NOS. L-24,978; L-25,023		

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Liquor Control Board

Board Administration 2 3 4 5 6 7 BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD 8 IN THE MATTER OF: LCB NO. L-24,978 9 MCDUF ENTERPRISES LLC d/b/a MCKAY'S TAP HOUSE STIPULATED 10 1312 LEE BOULEVARD SETTLEMENT AGREEMENT RICHLAND, WA 99352 11 LICENSEE 12 LICENSE NO. 408252 13 AVN NO. 4E3361H IN THE MATTER OF: LCB NO. L-25,023 14 MCDUF ENTERPRISES LLC d/b/a 15 MCKAY'S TAP HOUSE 1312 LEE BOULEVARD 16 RICHLAND, WA 99352 17 LICENSEE 18 LICENSE NO. 408252 AVN NO. 4F4061A 19 20 The Washington State Liquor Control Board Education and Enforcement Division 21 (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and ISAAC WILLIAMSON, Assistant Attorney General, and MCDUF ENTERPRISES LLC 22 23 d/b/a MCKAY'S TAP HOUSE (Licensee) by and through DAVID MCKAY, representative, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case 24

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numbers 24,978 and 25,023.

I. INTRODUCTION

The Washington State Liquor Control Board Enforcement and Education Division issued AVN No. 4E3361H and 4F4061A to the Licensee, alleging: 1) on or about December 27, 2013, the above-named Licensee, or an employee(s) thereof, sold alcohol to a person under twenty-one (21) years of age, contrary to RCW 66.44.270; and 2) that on or about March 2, 2014, the above-named Licensee or employee(s) thereof sold alcohol to a person under twenty-one (21) years of age, contrary to RCW 66.44.270.

II. AGREEMENT OF THE PARTIES

Prior to the filing of an administrative complaint, the parties have agreed to resolve the above captioned cases. Enforcement and the Licensee agree to the following:

- 1. The parties enter into this Agreement to avoid the time and expense of further litigation.
- 2. The Licensee explicitly waives the right of further administrative review of all matters related to the above-referenced AVNs. The Licensee hereby voluntarily withdraws its request for a hearing in this matter.
- 3. This Agreement constitutes the final written expression of all the terms of this Agreement, and it is a complete and exclusive statement of these terms.
- 4. The Licensee admits to the violations set forth above: 1) on or about December 27, 2013, the above-named Licensee, or an employee(s) thereof, sold alcohol to a person under twenty-one (21) years of age, contrary to RCW 66.44.270; and 2) that on or about March 2, 2014, the above-named Licensee or employee(s) thereof sold alcohol to a person under twenty-one (21) years of age, contrary to RCW 66.44.270.
- 5. The Licensee acknowledges that the above referenced violations are the Licensee's first and second public safety violations within a twenty-four (24) month period, for which the standard penalty is a \$500 fine or five (5) day suspension for the first violation and a seven (7) day suspension for the second violation.

1.	6. The Licensee agrees to a suspension of four (4) days, to start on Thursday, July	
2	24 th at 11 a.m., and end on Monday, July 28 th at 11 a.m.	
3	7. The Licensee shall also pay a monetary penalty of three hundred dollars (\$300)	
4	no later than thirty (30) days after the date of the Final Order of the Board. Payment shall be	
5	sent to:	
6 7	Washington State Liquor Control Board P.O. Box 43085 Olympia, WA 98504-3085	
8	8. In the event that the Licensee fails to make full and timely payment of the	
9	monetary penalty as required in Section II, Paragraph 7, the Licensee shall serve the standard	
10	penalty of a five (5) day suspension of its liquor license, the dates and times of which shall be	
1.1	set by the Washington State Liquor Control Board.	
12	9. The parties recognize that this settlement agreement is subject to approval by	
13	the Washington State Liquor Control Board.	
14	STEPULATED AND AGREED TO by:	
15	ROBERT W. FERGUSON	
16	Attorney General	
17		
18	ISAAC WILLIAMSON, WSBA #43921 DATE	
19	Assistant Attorney General Attorney for Washington State	
20	Liquor Central Board Education and Enforcement Division	
21	1	
22	A 1 11/2 Kan 1-5-14	
23	DAVID MCKAY DATE	
24	Representative, MCDUF ENTERPRISE LLC d/b/a MCKAY'S TAP HOUSE, Licensee	
25		
26		



July 16, 2014

David McKay McDuf Enterprises LLC d/b/a McKay's Tap House 418 W Sharp Ave Spokane, WA 99201-2421

Isaac Williamson, AAG GCE Division, Office of Attorney General 1125 Washington Street SE PO Box 40100 Olympia, WA 98504-0100

RE: FINAL ORDER OF THE BOARD LICENSEE: McDuf Enterprises LLC TRADE NAME: McKay's Tap House

LOCATION: 1312 Lee Blvd, Richland, WA 99352-4105

LICENSE NO. 408252

ADMINISTRATIVE VIOLATION NOTICE NOS. 4E3361H and 4F4061A

LCB HEARING NOS. L-24,978 and L-25,023

UBI: 603 127 042 001 0002

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter, as well as a copy of the Stipulated Settlement Agreement. **The applicable monetary penalty is due by August 15, 2014.** If you have any questions, please contact me at (360) 664–1602.

Sincerely.

Kevin McCarroll

Adjudicative Proceedings Coordinator

Enclosures

cc:

Spokane and Pasco Enforcement and Education Divisions, WSLCB

Jamie Marshall, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

MCDUF ENTERPRISES LLC d/b/a MCKAY'S TAP HOUSE 1312 LEE BLVD RICHLAND, WA 99352-4105

LICENSEE

LICENSE NO. 408252 AVN NOS. 4E3361H, 4F4061A LCB NOS. L-24,978; L-25,023

DECLARATION OF SERVICE BY MAIL

I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the abovereferenced matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state offices, on the date below to:

DAVID MCKAY	OFFICE OF THE ATTORNEY GENERAL
MCDUF ENTERPRISES LLC	MAIL STOP 40100, GCE DIVISION
d/b/a MCKAY'S TAP HOUSE	ISAAC WILLIAMSON,
418 W SHARP AVE	ASSISTANT ATTORNEY GENERAL
SPOKANE, WA 99201-2421	
DAVID MCKAY	
MCDUF ENTERPRISES LLC	
d/b/a MCKAY'S TAP HOUSE	
1312 LEE BLVD	
RICHLAND, WA 99352-4105	

DATED this <u>l(+</u>C day of _

, 2014, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator